

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.19608 OF 2005

Dated 8th September 2005

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Between:

Rakesh Bongoni S/o.Lingaiah B.,

Aged 20 years, Occu:Student of Chaitanya Bharathi

Institute of Technology, Gandipet, Hyderabad.

...Petitioner

And

Osmania University, rep. By its Registrar, Hyderabad.

...Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO. 19608 OF 2005

ORDER:

The petitioner joined in First Year B.E. (Electronics and Communications), for the year 2003-2004, in the college affiliated to the respondent University. In the First Year examinations, he passed 9, out of 12 subjects, and had 3 backlogs. The Second Year is in two semesters. In the first semester of Second Year, he cleared 5, out of 8 subjects, and in the second semester, 4 out of 8 subjects. He was not promoted to the first semester of Third Year, on the ground that he had more number of backlogs, than what are permitted under the relevant rules. He claims to have made representation to the University, and complains that no action has been taken thereon.

Heard the learned counsel for the petitioner and learned Standing Counsel for the University.

A perusal of Rule 3 of Rules of Promotion for Degree Course in Engineering, discloses that for promotion to first semester of Third Year, a candidate must not have backlogs, exceeding 50% of the total number of papers prescribed for first and second semesters of B.E. Second Year, put together. The total number of papers for first and second semesters of B.E. Second Year, are 16. 50% of it comes to 8. As of now, the total number of backlogs of the petitioner, are 10. Therefore, there is a non-compliance of Rule 3. It is difficult to issue any specific direction to the University, for promoting the petitioner to the first semester of Third Year.

Learned counsel for the petitioner submits that on several occasions, the University entertained the representations of candidates, who do not fulfill these requirements, and granted necessary relief, on being satisfied about the existence of genuine causes. The circumstances, under which such relief was granted, are not before this Court, nor are they subjected to any adjudication. However, if the University had entertained such representations, there is no reason why the petitioner shall not be extended the same relief. The question as to whether the petitioner is entitled to be extended the benefit of relaxation, is up to the University to decide.

For the foregoing reasons, the writ petition is disposed of, directing the respondent to consider the representation, dated 22.8.2005, said to have been made by the petitioner, and pass appropriate orders, within a period of two weeks, from the date of receipt of a copy of this order. There shall be no order as to costs.

9th September 2005

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